

The Saraland Planning Commission convened in Special Called session on January 20, 2022 at the Saraland City Court Room. The meeting was called to order at 6:00 p.m. by Chairman Scooter Thronson.

Roll call was as follows:

Present: Chairman Scooter Thronson  
Vice Chairman David Brown  
Mayor Howard Rubenstein  
Councilman Wayne Biggs  
Chief Austin Sealey  
Barry Andrews  
Dr. Wayne Lyssy  
Vincent Walker

Absent: Secretary Julie McGuire

Others present: Ian Cantrell, City Planner, Mike Black, Director Building Department, Laura Tarver, Permit Technician; Andy Rutens, City Attorney.

Motion was made by Barry Andrews to approve the agenda for the special called January 20, 2022 meeting, seconded by Vincent Walker. Motion carried.

Chairman Scooter Thronson called for conflicts of interest of any agenda item for members of the Planning Commission. No conflicts were brought forth.

Invocation by Wayne Biggs

**OLD BUSINESS:**

Chairman Scooter Thronson explained by law, the public hearing was held at the prior Planning Commission meeting on January 11, 2022, but because the interest in the items on the agenda, 10 people will be allowed to speak for no longer than 3 minutes each.

City Attorney, Andy Rutens described the purpose of the 3 site plans and all have related properties to subdivide, which will be combining several different parcels. Andy Rutens explained the motion to resubdivide, which will actually combine properties into 1 lot or multiple lots, then will look at the according site plan, located at 300 Saraland Ave, 247 Saraland Ave, and 108 Saraland Blvd. If the proposed application for the subdivision fails, then the application for the Site Plan cannot be heard.

City Attorney, Andy Rutens presented a brief slideshow in regards to the 3 Saraland Mobile Home Parks, located at 300 Saraland Ave, 247 Saraland Ave, and 108 Saraland Blvd. Pictures indicated the projected outlines, current google street views including neighbors & entrances, as well as arials.

City Attorney, Andy Rutens described Mobile Home Park located at 300 Saraland Ave. In regards to the he triangle piece of property located on 300 Saraland Ave, which is currently zoned R1, the applicant, Bryce McMurry with Kinetic Capital are agreeable to have it removed from the subdivision plat at this time, so the combination of the parcels will be all except the triangle. All other lots are zoned R5. Three pads are currently located on the triangle-1 pad, only has a small corner on it and will be readjusted & putt at an angle, so it will become entirely on the R5 site. Lot 54 & Lot 55 will be removed from the site plan, however (Lot 54) is currently zoned R1 and has an existing trailer there, has grandfathered status and will be left there.

Pictures were shown of the existing trailers showing how they are currently placed, running East and West, perpendicular to the lot lines vs. the revised placements of the trailers which will be running North and South. Slides indicated where privacy fences were being placed, and showed the placement of a playground and greenspace.

The site located at 300 Saraland Ave, currently has 33 pads and 1 house. The proposal calls for a total of 32 pads, with some pads being removed or adjusted to make sure of compliance of the Land Use and Development Ordinance and to add additional buffers.

The site located at 247 Saraland Ave, currently has 28 pads, 1 house, and 2 additional structures. The proposal calls for a total of 31 pads, no house, and no additional structures and adjusted to

make sure of compliance of the Land Use and Development Ordinance and to add additional buffers.

The site located at 108 Saraland Blvd, currently has 17 pads and 3 additional structures. The proposal calls for a total of 18 pads and no additional structures and adjusted to make sure of compliance of the Land Use and Development Ordinance and to add additional buffers.

Spence Tillman expressed concerns regarding the inspections and the mobile home being properly certified and compliant with the State of Alabama.

City Attorney, Andy Rutens, addressed Mr. Tillman's concerns and clarified that although HUD will still have to certify the mobile homes, they will also have to meet the City of Saraland's current International Building Code, International Plumbing Code, and International Electrical Code, International Mechanical Code and International Fire Codes as well as follow our Land Use and Development Ordinances.

Mr. Acy Wilson, lives at 915 Shelton Beach Rd, addressed the Planning Commission regarding inspections and condemn concerns. He believes if the city wants to upgrade, then they need to do away with the trailer parks.

Mr. Spence Tillman voiced additional concerns regarding the proposed greenspaces, playground, and the certifications for the mobile homes.

#### **OLD BUSINESS/NEW BUSINESS**

A. **(OLD BUSINESS)** Preliminary/Final Subdivision Plat Review to combine parcels at 300 Saraland Ave, parcels R021908330001085, R021908330001084, R021908330001085.001, and R021908330008021.001, filed by Bryce McMurry, Kinetic Capital on behalf of owners Saranthus Investments INC./Equity Investments LLC.

Chairman Scooter Thronson described the purpose of this application.

Ian Cantrell, City Planner, expressed a favorable recommendation to follow with the site plan and in respect to the interior lot lines & setbacks.

City Attorney, Andy Rutens addressed Chairman Scooter Thronson and stated as a point of reference, that any motion that if the desire to approve the resubdivision combination, would be the exception of the R1 lot.

Doug Anderson, Attorney for Bryce McMurry with Kinetic Capital, stated in regard to the triangle currently zoned R1, they will remove the trailer that is currently there now, once the property has been officially purchased. Mr. Anderson assured the residents that the city has the right to inspect every unit to make sure all comply with the city building codes.

Acy Wilson voiced concerns regarding the grandfathered clause.

City Attorney, Andy Rutens, addressed Mr. Wilson's concerns and stated that the change of ownership does not impact the grandfathership, however, grandfathership only impacts zoning issues inside the city limits.

Chairman Scooter Thronson entertained motion for Item A.

Motion was made by Vincent Walker, seconded by Wayne Lyssy, to approve the preliminary/final plat review to combine parcels at R021908330001085, R021908330001084, R021908330001085.001, and R021908330008021.001, filed by Bryce McMurry, subject to the revisions of removing the R1 triangle section.

Roll Call Vote – 7 Yes/1 No by Wayne Biggs  
Motion carried.

F. **(NEW BUSINESS)** Site Plan Review for Saraland Mobile Home Park, located at 300 Saraland Ave, consisting of parcels R021908330001085, R021908330001084,

R021908330001085.001, and R021908330008021.001, filed by Bryce McMurry, Kinetic Capital on behalf of owners Saranthus Investments INC./Equity Investments LLC.

Chairman Scooter Thronson described the purpose of this application.

Ian Cantrell, City Planner, stated this application would not be contradictory to the City's Comprehensive Master Plan and future Land Use map and give this a favorable recommendation.

Chairman Scooter Thronson entertained motion for Item F.

Motion was made by Wayne Lyssy, seconded by Barry Andrews to approved the Site Plan Review for Saraland Mobile Home Park, located at 300 Saraland Ave, consisting of parcels R021908330001085, R021908330001084, R021908330001085.001, and R021908330008021.001, filed by Bryce McMurry, with the exception of the triangle property, removal of pad 55 and reorientation of pad 53, pending opportunity to submit a subsequent site plan Lot 54 to remain.

City Attorney, Andy Rutens added the application does not specifically include the specifications for installation which have been submitted and been reviewed as well as rules of regulations for operations which have been submitted and reviewed. Mr. Rutens recommends if there is a desire to approve, then it would be subject to installation enforcement of the specification for installation & rules and regulations for operations.

Wayne Lyssy and Barry Andrews amended the motion to include these recommendations from the city attorney, adding that the motion is now additionally subject to the implementation and enforcement of specifications for installation and the rules and regulations for operations as noted.

Mayor Howard Rubenstein addressed the residents and reiterated that the 3 mobile home parks in question are zoned R5 and have been zoned R5 since the beginning of the Land

Use and Development Ordinance. Mayor Rubenstein added clarification in regards to the grandfather clause & what is and what is not allowed. He stated state law says that if you have a zoned piece of property, it's a protection for the owner, only the owner can request the property to be rezoned. The City of Saraland does not have the authority to change it. Mayor Rubenstein reinforced that the potential new owners have the financial resources to revamp and upgrade the park, as opposed to letting it continue to be the way it is currently.

Mayor Howard Rubenstein, stated the developers will work with the Mobile County Health Department to make sure they do the appropriate pest extermination to rid of the pest/rodents.

Chairman Scooter Thronson expressed his pride in the city and how important improvements are to help further development.

Roll Call Vote – 8 Yes's  
Motion Carried.

**B. (OLD BUSINESS)** Preliminary/Final Subdivision Plat Review to combine parcels at 247 Saraland Ave, parcels R021908330008022.02, R021908330008022.01, and R021908330008022.001, filed by Bryce McMurry, Kinetic Capital on behalf of owner Saranthus Investments INC/Equity Investments LLC.

Ian Cantrell, City Planner, expressed a favorable recommendation to follow with the site plan and in respect to the interior lot lines & setbacks.

Chairman Scooter Thronson entertained motion for Item B.

Motion was made by Barry Andrews, seconded by David Brown to approve the Preliminary/Final Subdivision Plat Review to combine parcels at 247 Saraland Ave, parcels R021908330008022.02, R021908330008022.01, and R021908330008022.001, filed by Bryce McMurry.

Roll Call Vote – 8 Yes's  
Motion Carried.

E. **(NEW BUSINESS)** Site Plan Review for Saraland Mobile Home Park, located at 247 Saraland Ave, zoned R5, consisting of parcels R021908330008022.02, R021908330008022.01, and R021908330008022.001, filed by Bryce McMurry, Kinetic Capital on behalf of owner Saranthus Investments INC/Equity Investments LLC.

Chairman Scooter Thronson described the purpose of this application.

Chairman Scooter Thronson entertained motion for Item E.

Motion was made by Wayne Lyssy, seconded by Barry Andrews to approve the Site Plan Review for Saraland Mobile Home Park, located at 247 Saraland Ave, zoned R5, consisting of parcels R021908330008022.02, R021908330008022.01, and R021908330008022.001, filed by Bryce McMurry.

City Attorney, Andy Rutens added the application does not specifically include the specifications for installation which have been submitted and been reviewed as well as rules of regulations for operations which have been submitted and reviewed. Mr. Rutens recommends if there is a desire to approve, then it would be subject to installation enforcement of the specification for installation & rules and regulations for operations.

Wayne Lyssy and Barry Andrews amended the motion to include these recommendations from the city attorney, adding that the motion is now additionally subject to the implementation and enforcement of specifications for installation and the rules and regulations for operations as noted.

Roll Call Vote – 8 Yes's  
Motion Carried.

**C. (OLD BUSINESS)** Preliminary/Final Subdivision Plat Review to combine parcels at 108 Saraland Blvd, parcels R022202040001003 and R022202032000091, filed by Bryce McMurry, Kinetic Capital on behalf of owner Saranthus Investments INC/Equity Investments LLC

Chairman Scooter Thronson described the purpose of this application.

Ian Cantrell, City Planner, expressed a favorable recommendation to follow with the site plan and in respect to the interior lot lines & setbacks.

Chairman Scooter Thronson entertained motion for Item C.

Motion was made by Wayne Lyssy, seconded by Vincent Walker to approve the Preliminary/Final Subdivision Plat Review to combine parcels at 108 Saraland Blvd, parcels R022202040001003 and R022202032000091, filed by Bryce McMurry.

Roll Call Vote – 8 Yes's  
Motion Carried.

**D. (NEW BUSINESS)** Site Plan Review for Saraland Mobile Home Park, located at 108 Saraland Blvd N, zoned R5, consisting of parcels R022202040001003 and R022202032000091, filed by Bryce McMurry, Kinetic Capital on behalf of owner Saranthus Investments INC/Equity Investments LLC

Chairman Scooter Thronson described the purpose of this application.



Motion was made by Wayne Lyssy, seconded by David Brown to approve the Site Plan Review for Saraland Mobile Home Park, located at 108 Saraland Blvd N, zoned R5, consisting of parcels R022202040001003 and R022202032000091, filed by Bryce McMurry.

City Attorney, Andy Rutens added the application does not specifically include the specifications for installation which have been submitted and been reviewed as well as rules of regulations for operations which have been submitted and reviewed. Mr. Rutens recommends if there is a desire to approve, then it would be subject to installation enforcement of the specification for installation & rules and regulations for operations.

Wayne Lyssy and David Brown amended the motion to include these recommendations from the city attorney, adding that the motion is now additionally subject to the implementation and enforcement of specifications for installation and the rules and regulations for operations as noted.

Roll Call Vote – 8 Yes's  
Motion Carried.

Wayne Lyssy made a motion to reconsider Item A and requested a second recall vote for approval. Mayor Howard Rubenstein, seconded that motion.

Councilman Wayne Biggs spoke in regards to the best interest for what's best for the citizens as well as the City of Saraland and requested a new vote for Item A.

Chairman Scooter Thronson made a motion to reconsider discussion for Item A - Preliminary/Final Subdivision Plat Review to combine parcels at 300 Saraland Ave, parcels R021908330001085, R021908330001084, R021908330001085.001, and R021908330008021.001, filed by Bryce McMurry, Kinetic Capital on behalf of owners Saranthus Investments INC./Equity Investments LLC.

Chairman Scooter Thronson motioned to reconsider discussion for Item A. All in favor.

Chairman Scooter Thronson entertained motion for Item A.

Motion was made by Wayne Lyssy, seconded by David Brown to approve the preliminary/final plat review to combine parcels at R021908330001085, R021908330001084, R021908330001085.001, and R021908330008021.001, filed by Bryce McMurry, subject to the revisions of removing the R1 triangle section.

Roll Call Vote – 8 Yes's  
Motion Carried.

There being no further business to come before the Planning Commission, the meeting adjourned at 7:00 p.m.

**ACCEPTED AND APPROVED:**

Julie M. Greene  
[Signature]

[Signature]

Wayne E. Lyssy

Austin Sealey

[Signature]